

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **February 11, 2003**

AGENDA ITEM NO.: 16

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Virginia Steel Request for Temporary Structures in Jefferson St. Right-of-Way**

### RECOMMENDATION:

Approve the attached resolution to grant permission to Virginia Steel, at 7<sup>th</sup> & Jefferson Streets, to use the rights-of-way in front of their building and across Jefferson St. to install crane supports, pending a public hearing. This would be for a maximum of four years.

### SUMMARY:

Mr. Mike Suchodolsky of Virginia Steel has requested permission to place steel supports for an overhead crane on both sides of Jefferson St., in front of his business. The supports are approximately 15 feet high. Staff agrees to the benefit of allowing this because it would relieve steel carrying tractor-trailers from having to back down two blocks of Jefferson Street several times for each delivery. Staff will also require a Structural Engineer to submit a signed & sealed plan for these structures and will require Virginia Steel to install guardrails around the supports. Virginia Steel will also be required to enter into a written agreement with the City, before installation of supports. By State Code Sec. 15.2-1800, only City Council can grant permission to this request.

### PRIOR ACTION(S):

January 7, 2003 PDC

### FISCAL IMPACT:

None

### CONTACT(S):

Lee Newland, 847-1360 ext. 270  
Bruce McNabb, 847-1362

### ATTACHMENT(S):

Resolution  
Sec. 15.2-1800 of the State Code  
Map

REVIEWED BY: lkp

## RESOLUTION

Whereas Virginia Steel, a Lynchburg business, has requested to install supports for an overhead crane at its location on Jefferson Street;

And whereas these supports will encroach into the right-of-way of Jefferson Street;

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Lynchburg, in accordance with State Code Section 15.2-1800, does hereby authorize the City Manager to enter into an agreement with Virginia Steel, located at the corner of 7<sup>th</sup> & Jefferson Streets, to install supports for an overhead crane in the right-of-way.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

029L

§ 15.2-1800. Purchase, sale, etc., of real property.

A. A locality may acquire by purchase, gift, devise, bequest, exchange, lease as lessee, or otherwise, title to, or any interests in, any real property, whether improved or unimproved, within its jurisdiction, for any public use. Acquisition of any interest in real property by condemnation is governed by Chapter 19 (§ 15.2-1900 et seq.). The acquisition of a leasehold or other interest in a telecommunications tower, owned by a nongovernmental source, for the operation of a locality's wireless radio communications systems shall be governed by this chapter.

B. Subject to any applicable requirements of Article VII, Section 9 of the Constitution, any locality may sell, at public or private sale, exchange, lease as lessor, mortgage, pledge, subordinate interest in or otherwise dispose of its real property, which includes the superjacent airspace (except airspace provided for in § 15.2-2030) which may be subdivided and conveyed separate from the subjacent land surface, provided that no such real property, whether improved or unimproved, shall be disposed of until the governing body has held a public hearing concerning such disposal and provided further that the holding of a public hearing shall not apply to the leasing of real property to another public body, political subdivision or authority of the Commonwealth. The provisions of this section shall not apply to the vacation of public interests in real property under the provisions of Articles 6 (§ 15.2-2240 et seq.) and 7 (§ 15.2-2280 et seq.) of Chapter 22 of this title.

C. A city or town may also acquire real property for a public use outside its boundaries; a county may acquire real property for a public use outside its boundaries when expressly authorized by law.

D. A locality may construct, insure and equip buildings, structures and other improvements on real property owned or leased by it.

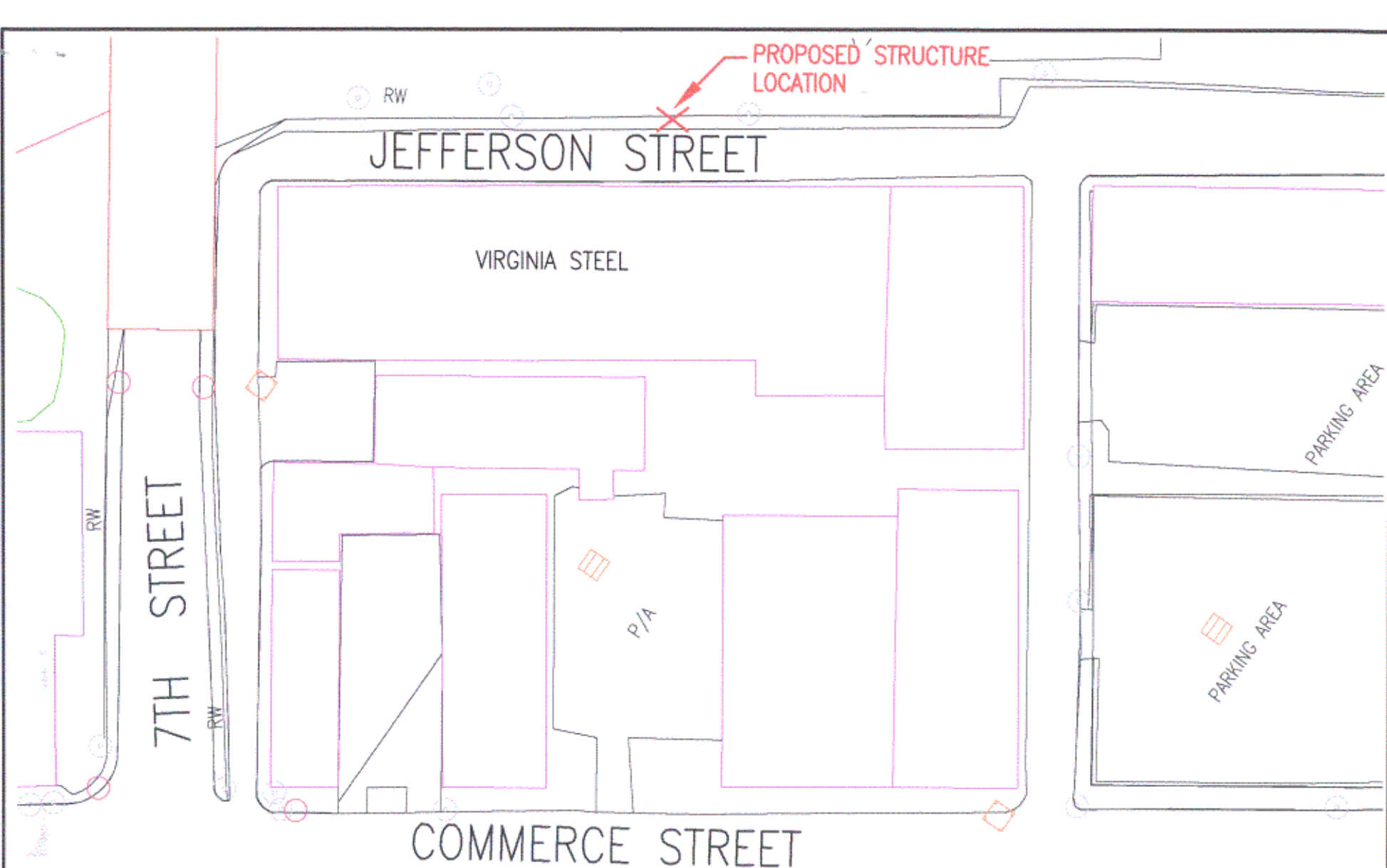
E. A locality may operate, maintain and regulate the use of its real property or may contract with other persons to do so.

F. This section shall not be construed to deprive the resident judge or judges of the right to control the use of the courthouse.

G. "Public use" as used in this section shall have the same meaning as in § 15.2-1900.

(Code 1950, § 15-692; 1962, c. 623, § 15.1-262; 1968, c. 418; 1974, c. 282; 1977, c. 269; 1979, c. 431; 1980, cc. 212, 559; 1984, c. 241; 1986, cc. 477, 573; 1990, c. 813; 1997, c. 587; 1998, c. 696.)

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**701 JEFFERSON STREET**  
**(AREA IN FRONT OF VA. STEEL)**



THE CITY OF LYNCHBURG, VIRGINIA  
**DEPT. OF PUBLIC WORKS**  
 ENGINEERING

DESIGNED BY: JLN	DRAWN BY: SAS	CHECKED BY: JLN
APP'D. BY: D.G.C.	PROJECT NO.:	
SCALE: 1" = 50'	SHEET 1 OF 1	
DATE: 1/2/2003		

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